

**CAUSE NO.11945**

**PERRYTON HOSPITALITY, INC.,**

***Plaintiff***

**VS**

**AUER CORPORATION**

***Defendant***

**IN THE 84<sup>th</sup> DISTRICT COURT**

## IN AND FOR

**OCHILTREE COUNTY, TEXAS**

**AMENDED MOTION TO TRANSFER VENUE**

COMES NOW, AUER CORPORATION, Defendant, and files this Amended Motion to Transfer Venue on the ground that under Section 15.020 of the Texas Civil Practice and Remedies Code, venue is mandatory in Montgomery County. Defendant hereby incorporates as additional grounds for this motion the briefs and attached affidavits previously filed herein by Defendant.

WHEREFORE defendant Auer Corporation respectfully requests that this Court transfer this case to the district courts of Montgomery County, Texas.

Respectfully submitted,

*Omaha*

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**ATTORNEY FOR AUER CORPORATION**

**FILED**

AT 11:28 O'CLOCK 11 M

5-21-9 A.D. 20 07

Shawn Ryan D. [Signature]  
CLERK, DISTRICT COURT OCHILTREE COUNTY, TEXAS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above Brief in Support was served upon all counsel and parties of record pursuant to the Texas Rules of Civil Procedure on May 22, 2009.



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Donna C. Kline